



05-17-02

1642/577

Docket No. 2026-4269US1

Section/Andt D/#20

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of : WANG, R-F, et al.

Serial No. : 09/529,206

Art unit : 1577

Filed : June 13, 2000

Examiner : DAVIS, N.A.

For : NOVEL HUMAN CANCER ANTIGEN, ESO-1/CAG-3 AND GENE  
ENCODING SAME

**PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION  
REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This amendment is provided in response to the restriction requirement dated April 22,  
2002.

**IN THE CLAIMS**

Please amend claim 4.

shb  
D1 E2 R1.126 3/4 (amended) A cancer peptide consisting of SEQ. ID NO: 4 or portion or  
derivative thereof, wherein said portion is immunologically recognized by antigen specific  
cytotoxic T lymphocytes.

**REMARKS**

The Examiner has required restriction under 35 U.S.C. §121 and 35 U.S.C. §372.

With all due respect, applicants disagree that the Examiner's restriction requirement is  
proper. However, in order to facilitate prosecution and to avoid a holding of non-responsiveness,